

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC., a Delaware Corporation, and	)	
NICE SYSTEMS, LTD., an Israeli Corporation,	)	
	)	
Plaintiffs,	)	
v.	)	C. A. No. 06-311-JJF
	)	
WITNESS SYSTEMS, INC., a Delaware Corporation,	)	
	)	
Defendant.	)	

**STIPULATED ORDER AMENDING SCHEDULING ORDER**

Plaintiffs NICE Systems, Inc. and NICE Systems, LTD. (collectively "NICE") and Defendant Witness Systems, Inc. hereby stipulate to the following amendments to the October 30, 2006 Rule 16 Scheduling Order ("Scheduling Order") (D.I. 46):

1. Section 7 of the Scheduling Order is supplemented by the addition of the following language:

Following issuance by the Court of the claim construction order:

- a. Plaintiffs shall identify a proposed narrowed subset of currently asserted claims to be asserted at trial in a letter to the Court no later than 15 days after entry of the Court's claim construction order;
  - b. Defendants shall object to Plaintiffs' proposed narrowed subset of asserted claims in a letter to the Court no later than 5 days after Plaintiffs' letter is filed; and
  - c. the Court shall enter an order on the Plaintiffs' proposed narrowing of claims to be asserted at trial.
2. Section 3(e) of the Scheduling Order is amended as follows:

- a. Reports from retained experts required by Fed.R.Civ.P. 26(a)(2) are due from the party having the burden of proof 30 days after the Court enters its order on the narrowing of claims to be asserted at trial. Reply reports are due 30 days after the date opening expert reports are due.

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

*/s/ Melanie K. Sharp*

---

Melanie K. Sharp (No. 2501)  
Mary F. Dugan (No. 4704)  
The Brandywine Building  
1000 West Street, 17<sup>th</sup> Floor  
Wilmington, DE 19801

P.O. Box 391  
Wilmington, DE 19899  
(302)571-6681  
[msharp@ycst.com](mailto:msharp@ycst.com)

KAYE SCHOLER LLP  
Scott G. Lindvall  
Joseph M. Drayton  
425 Park Avenue  
New York, NY 10022  
(212)836-8000

*Attorneys for Plaintiffs Nice Systems, Inc. and  
Nice Systems, Ltd.*

Dated: August 6, 2007

FISH & RICHARDSON, P.C.

*/s/ Kyle Wagner Compton*

---

William J. Marsden, Jr. (No. 2247)  
Kyle Wagner Compton (No. 4693)  
919 North Market Street, Suite 1100  
P.O. Box 1114  
Wilmington, DE 19899- 1114  
(302)778-8447  
[kcompton@fr.com](mailto:kcompton@fr.com)

Nagandra Setty  
Daniel A. Kent  
1180 Peachtree Street, NE, 21<sup>st</sup> Floor  
Atlanta, GA 30309

*Attorneys for Defendant Witness Systems, Inc.*

SO ORDERED this \_\_\_\_ day of August, 2007.

---

UNITED STATES DISTRICT JUDGE